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New York

President: Mr. Diogo Freitas do Amaral ..... (Portugal)

In the absence of the President, Mr. Ouane (Mali), Vice-President, took the Chair.

The meeting was called to order at 10.25 a.m.

Agenda item 37

Zone of peace and cooperation of the South Atlantic

Report of the Secretary-General (A/50/671 and Add.1)

Draft resolution (A/50/L.25)

The Acting President *(interpretation from French):* I call on the representative of Brazil to introduce draft resolution A/50/L.25.

Mr. Amorim (Brazil): I have the honour to introduce the draft resolution contained in document A/50/L.25, sponsored by Angola, Argentina, Benin, Brazil, Cameroon, Cape Verde, Congo, Côte d'Ivoire, Equatorial Guinea, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Namibia, Nigeria, Sao Tome and Principe, Senegal, Sierra Leone, South Africa, Togo, Uruguay and Zaire.

Draft resolution A/50/L.25 reaffirms the purposes and objectives of the zone of peace and cooperation of the South Atlantic, recalls the understandings reached by the members of the Zone and calls for continued cooperation for the promotion of peace and development in the South Atlantic.

The adoption of this draft resolution will be an expression of support for cooperation among members of the zone, and between them and other States, for economic and social development in conditions of peace and freedom. Particularly noteworthy in this context are operative paragraph 1, which reaffirms the basis for cooperation among the countries of the region; paragraph 4, which recalls the commitment of the zone to democracy and political pluralism; and paragraph 5, which welcomes progress towards implementing nuclear-weapon-free zones on both sides of the South Atlantic.

In this context, let me recall that the Brasilia Declaration on the Denuclearization of the South Atlantic, which was adopted at the third meeting of the States of the zone, in 1994, gave a renewed impulse to the cause of nuclear non-proliferation and disarmament.

Of particular significance also is the support given by all States, through this resolution's, operative paragraphs 6, 7 and 8, to the process of national reconciliation in Angola and Liberia, as well as to the call for increased humanitarian assistance for those two countries.

The draft resolution before us takes note of the report (A/50/671) of the Secretary-General on the zone of peace and cooperation of the South Atlantic. Among other aspects, the Secretary-General's report reflects the proposals by Member States to increase cooperation, in the framework of the zone, in areas such as the protection and preservation of the marine environment,

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economic development, trade, culture and tourism. It also draws attention to the activities of the organizations and bodies of the United Nations system for the promotion of the objectives of the zone, for which its Member States are grateful.

The draft resolution, in short, builds upon and consolidates the decisions and understandings agreed by the members of the zone, including those reached at the third meeting of the States members of the zone of peace and cooperation of the South Atlantic, held in Brasilia on 21 and 22 September 1994.

At that meeting, the participants reaffirmed the importance of the zone for promoting cooperation among South Atlantic countries and for supporting international peace and security. They also agreed on the need to increase efforts aimed at reinforcing the role of the zone as a regional instrument for cooperation and established an inter-sessional follow-up mechanism, which has started to function this year.

The draft resolution welcomes South Africa's offer to host at Cape Town, on 1 and 2 April 1996, the fourth meeting of the States members of the zone. The achievements of the zone must be understood as part of a permanent process which will be gradually reinforced by its member States with the support of the international community. The fourth meeting will provide an opportunity to discuss ways and means to ensure the implementation of the decisions of previous meetings and to explore new areas for cooperation.

The establishment of the zone of peace and cooperation gave renewed impetus to cooperation and understanding among West African and South American countries bordering the South Atlantic. This process, which is aimed at the promotion of stability and prosperity, deserves the support of the international community as a whole.

We are confident that this draft resolution will command widespread support, as its counterparts have in previous years.

Mr. Ayewah (Nigeria): The member States of the zone of peace and cooperation of the South Atlantic consider it fortunate that the implementation of the 1986 declaration of the zone has proceeded smoothly, as a result of the interest and enthusiasm of zonal States and the moral support and encouragement received yearly from the international community, through the annual resolutions adopted by the United Nations General Assembly. At this fiftieth session, the Nigerian delegation retains the hope that greater recognition will be given to the role that the zone can play in advancing global objectives in different fields.

The zone of peace and cooperation of the South Atlantic has shown itself to be a credible example of the complementarity between regional and global cooperation in the promotion of peace, security and development.

In pursuit of the global objective of nuclear non-proliferation and, ultimately, the achievement of a nuclear-weapon-free world, the member States of the zone have declared their intention to keep their region a denuclearized zone. A denuclearized South Atlantic, together with the nuclear-weapon-free zones created by the treaties of Tlatelolco, Raratonga and Pelindaba, will make a large portion of the southern hemisphere nuclear-weapon-free.

In the economic sphere, member States of the zone have sought to advance South-South cooperation through their Declaration on Business Cooperation. This Declaration paves the way for the most practical commercial and trade interaction among them. Such interactions tend to forge greater understanding among nations and are usually more profound and long-lasting, because their effect is felt directly by the people, who, in the developing world, are invariably the owners of small and medium-sized enterprises.

By their Declaration on the Marine Environment, the States of the zone have focused their attention and cooperation on working for a better exploitation of marine resources and a healthier development of their environment. Given the fact that the South Atlantic represents a sizeable portion of the globe, concern for its environment can only serve to benefit the preservation of the world's ecosystem. The importance of the preservation and conservation of marine resources for the survival of mankind has been a central issue on the international agenda, the primary indices of which were determined at the Rio Conference on Environment in June 1992. The attention that member States of the zone pay to this subject can only be a fulfilment of their obligation under Agenda 21 of the Rio Summit.

For a while now, international concern has focused on illegal trafficking in narcotic drugs and psychotropic substances. War against this illicit trade is on the zone's agenda. At the next high-level meeting of the zone, in

April 1996, one of the subjects that will be discussed is the exchange of information on this question, with a view to facilitating international cooperation against this scourge. As is well known, the zone was envisioned by its member States as a dynamic instrument of cooperation in all possible areas of political, economic and social development.

The solutions to the many problems that face developing countries must begin from within in order for them to be effective and long-lasting. This opinion is widely shared and has informed many of the United Nations programmes aimed at solving the problems of underdevelopment and political instability. In recognition of the important role that a zone of peace and cooperation is playing, and can be made to play more effectively, the United Nations and its Member States, especially the industrialized ones, should give greater moral, political and material support to the zone of peace and cooperation of the South Atlantic. The establishment of similar zones in other parts of the developing world needs to be encouraged. In this connection, it is our hope that the United Nations will facilitate the establishment of additional zones in the future.

It would not be the intention of any delegation to place the burden of creating and running a zone of peace and cooperation on others besides the zonal States themselves. The zone of peace and cooperation of the South Atlantic has not insisted on financial support from any quarters in its nine years of existence. Yet it has been able to meet at different levels and make projections for a more active future. My delegation is happy to note that the fourth high-level meeting is going to be held in Cape Town, South Africa in April 1996. We are confident that the international community will endeavour in the long run, or at least in the short run, to see its way clear to assist the zone in meeting its development objectives.

The Nigerian Government has no doubt as to the wisdom that informed the creation of the zone in 1986. It will therefore continue, within the constraints of its own resources, to extend all possible support and cooperation to the running of the activities of the zone aimed at the full realization of its purposes and objectives. Neither does Nigeria have any doubt as to the genuine interest and support of any member State of the zone. We are encouraged by the offers made by member States to host the fourth, fifth and sixth high-level meetings of the zone -- in spite of the heavy financial burden implicit in hosting such meetings. The enthusiasm that member States have shown is a testimony of their faith in the credibility and usefulness of the zone. We congratulate all member States of the zone for this enthusiastic spirit and call on the rest of the international community to continue to show support and encouragement for the zone.

Mr. Mpay (Cameroon) *(interpretation from French):* My delegation is speaking on agenda item 37, which deals with the zone of peace and cooperation of the South Atlantic. The two previous speakers have demonstrated very eloquently the *raison d'être* for the zone of peace and cooperation of the South Atlantic and especially its importance in strengthening international peace and security.

In resolution 41/11 of 27 October 1986, the General Assembly solemnly declared the Atlantic Ocean, in the region situated between Africa to South America, a "Zone of peace and cooperation of the South Atlantic". Since then the 24 member countries of the zone have embarked on the study of ways and means to establish and strengthen their cooperation, in particular in the areas of the economy, technology, the environment, culture, sports and disarmament. In this respect, we must welcome the progress achieved thus far in this direction, so that the zone now has the makings of a genuine instrument of regional cooperation.

The Declaration on the Marine Environment adopted at the third meeting of States members of the zone advocates a vast programme of cooperation covering the protection of coastal and marine environments as well as all other oceanic milieux. There is reason to emphasize that the implementation of this programme requires considerable human and financial resources. The assistance of the international community, and in particular the assistance of countries with the necessary expertise and the technological and financial means, is indispensable to the member countries of the zone.

Furthermore, the Declaration on Business Cooperation in the South Atlantic paves the way for intense cooperation affecting *inter alia* economic, commercial and tourist exchanges, as well as the development of direct air, sea and telecommunications links among the States members of the zone. We hope that the permanent committee established to promote the achievement of these goals will soon become operational.

Cameroon welcomed the Namibian Government's initiative in holding meetings of ministers for economy and trade and of economic leaders from member States of the zone at Windhoek. We encourage further

initiatives of this sort and we invite all countries concerned to take up such opportunities, which can create and promote trade exchanges beneficial to all the countries of the region.

In the permanent quest to make the South Atlantic a zone of peace and cooperation, the countries of the region have adopted a Declaration on the Denuclearization of the South Atlantic. It is important to emphasize that the three countries of Latin America and the 21 African countries that are members of the zone are all parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which was recently extended indefinitely. The countries in the first group are also parties to the Tlatelolco Treaty on the denuclearization of Latin America and the Caribbean, and those in the second group are parties to the Treaty of Pelindaba on the denuclearization of Africa, which has just been concluded and will soon be open for signature by all African countries.

One can understand therefore why the denuclearization of the South Atlantic, which forms the link between the two nuclear-weapon-free zones, is important for the security of the States of that region and therefore for international peace and security. Cameroon hopes that the nuclear Powers will give all necessary support to the Treaty of Pelindaba, notably by signing all the protocols affecting them when the Treaty is opened for signature.

Moreover, while awaiting the conclusion of a legal instrument making the South Atlantic a denuclearized zone, we ask the nuclear Powers not to undertake any activity contrary to the spirit of the Declaration on the Denuclearization of the South Atlantic.

The programme of multiform cooperation which the States members of the zone of peace and cooperation of the South Atlantic are planning to undertake is to be sure ambitious as to the scope of the areas it aims to cover. But when one realizes that all the countries concerned are developing countries, there is reason to welcome this happy initiative, one of whose goals is to promote South-South cooperation.

Furthermore, the objectives laid down by the three declarations adopted at the third ministerial meeting of States members of the zone of peace and cooperation of the South Atlantic can only be achieved with the assistance of the international community. In this regard, the commitments made *inter alia* within the framework of Agenda 21, the Conference on the Law of the Sea and the NPT, to cite just those three, deserve to be applied in practice.

Only in this way can the zone of peace and cooperation of the South Atlantic contribute effectively not only to the development of the member States, but also to international peace and security.

We therefore hope that the draft resolution contained in document A/50/L.25, which has just been introduced by the representative of Brazil, will be adopted by consensus.

Mr. Pérez-Otermin (Uruguay) (*interpretation from Spanish*): Uruguay has been and is an active participant in activities related to the zone of peace and cooperation in the South Atlantic since 1986, when the zone was solemnly declared in resolution 41/11. This declaration met the expectations expressed in various international settings by the developing States, engaged in an effort to establish closer links with those other States with which they shared common goals. The South-South cooperation so frequently mentioned was beginning to be redefined through a process of globalization that went hand in hand with the establishment of regional blocs.

The zone of peace thus defined a geographical sphere of cooperation between the South American and African countries of the area. The principles enshrined in the declaration, and developed and refined in the course of three ministerial meetings of countries from the zone, have been maintained unchanged: a pacifist spirit that corresponds to the aspirations of the States that compose the zone; the quest for the best forms of cooperation in the different areas and, in particular, in the scientific, technological, political and cultural spheres; and a commitment to democracy and the promotion of fundamental human rights. Uruguay pledges to work for these objectives in constant support for the principles of the declaration.

In general, the countries of the zone have undergone major political and economic changes: a deepening of democratic processes in nearly all States of the zone; the consolidation of free-market economies; the modernization of States; and the active participation of the private sector and non-governmental organizations in all these processes.

The draft resolution before us in document A/50/L.25 reflects the main events since the adoption of the last resolution on the zone, at the forty-ninth session.

Among those events we must highlight the positive developments in the conflicts in Angola and in Liberia, the zone's major conflicts. The implementation of the "Acordos de Bicesse" and the Lusaka Protocol with respect to Angola, and the agreements between the parties in the Liberian conflict, mean that the peoples of those countries are now on the road to national reconciliation. Uruguay has been actively involved in both these processes, through its participation in United Nations peace-keeping operations on the ground.

In another context, the delegation of Uruguay welcomes the adoption by Heads of State or Government of the Organization of African Unity, at their thirty-first ordinary session, held at Addis Ababa in June 1995, of the Pelindaba Text of the African Nuclear-Weapon-Free-Zone Treaty. Along with the Treaty of Tlatelolco and the Antarctic Treaty, the Treaty of Pelindaba will make it possible for the entire South Atlantic to become a denuclearized zone. This historic achievement will unquestionably open the way to the final elimination of all nuclear weapons, which is the ultimate goal of such initiatives and the final objective set out in multilateral disarmament treaties, notably the Treaty on the Non-Proliferation of Nuclear Weapons.

Finally, we must underscore achievements in other areas related to cooperation among States of the zone of peace, in particular measures for the implementation of the United Nations Convention on the Law of the Sea and the completion of the text of a convention on conservation of straddling fish stocks and highly migratory fish stocks on the high seas. This text is a valuable instrument that will make it possible to coordinate measures within the territorial ambit of coastal States with conservation measures for areas not under national jurisdiction; such measures must be compatible and complementary. This is a good sphere of activity for enhancing cooperation among the States of the zone.

We thank the Government of South Africa for its offer to host the next meeting of States of the zone of peace, and reiterate my delegation's hope that draft resolution A/50/L.25 can be adopted without a vote.

Mr. Mongbe (Benin) *(interpretation from French):* As a coastal State of the South Atlantic maritime region, Benin is deeply committed to the goals of the zone of peace and cooperation of the South Atlantic established in 1986 by the terms of resolution 41/11. Thus, the consideration of agenda item 37 gives my delegation the pleasant opportunity to contribute to the assessment of the achievement of those goals: the reduction and elimination of causes of tension and potential tensions by promoting peace and security in the zone, and the strengthening of cooperation for development between the zone's African and South American members, whose peoples share a common cultural identity and ancestral relationships, and face similar problems, especially as concerns socio-economic development.

My delegation is grateful to the delegation of Brazil, which has coordinated the activities of the zone since the third meeting of the States of the zone, held at Brasilia, for having introduced draft resolution A/50/L.25, whose adoption, I hope by consensus, will be the result of our deliberations today.

To be sure, there are continuing sources of concern in the zone, resulting from: resistance on the part of the forces of fragmentation and disintegration to any attempt at positive change based on harmony and dialogue; the deterioration of socio-economic conditions; poverty; overexploitation of the marine and biological resources of the high seas; and the dumping of hazardous wastes which degrade the environment and threaten human health, which is an element and a goal of development.

But since the last time we considered this item, there have been positive developments in the zone, which give us real reasons for satisfaction, as they are helping sustain the assets of this strategically and economically important maritime region.

The peace process in countries of the region, such as Angola and Liberia, which had long been torn by fratricidal conflicts, has made progress thanks to an awareness by the protagonists that it would be suicide not to find a way to preserve their essential political values. The international community deserves thanks for its contribution to this important achievement, and we hope it will continue its assistance with a view to the final establishment of a lasting peace through national reconciliation and reconstruction.

In the area of security, the denuclearization of the zone is in view thanks not only to the strengthening of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) but also to the conclusion of the Pelindaba Text of the African Nuclear-Weapon-Free Zone Treaty.

Moreover, as agreed, there are sustained efforts in the zone towards democratization and political pluralism.

For the easing of tension requires collateral measures such as participation by the people in public affairs and the promotion of respect for human rights and fundamental freedoms — in a word, the genuine establishment of a State based on law.

The Permanent Committee of the zone, established at Brasilia and comprising the United Nations representatives of all the countries of the zone, is actively engaged, under the leadership of the three members of its bureau, in preparations for the fourth meeting of the countries of the zone, which is to take place at Cape Town, South Africa, on 1 and 2 April 1996. South Africa has succeeded in peacefully dismantling the odious, abominable system of apartheid and has established a democratic Government under the wise presidency of that revered African, Nelson Mandela. We are grateful to the courageous people and the Government of South Africa for their prompt readiness to host this important meeting, which will highlight the zone's contribution to the international promotion of South-South cooperation.

The development of cooperation between States in the zone is absolutely necessary if tensions there are to be eliminated. For this reason, the States intend to encourage the promotion of economic, trade and touristic exchanges and cooperation between enterprises in the zone.

Although useful as a way of promoting the economic growth and sustainable development of developing countries, South-South cooperation is no substitute for international cooperation, which, in the interests of the harmonious development of an interdependent world, must, *inter alia*, guarantee financial, technical and technological assistance to developing countries. The holding of a United Nations conference on South-South cooperation, in accordance with General Assembly resolution 49/96, will certainly enable us to secure the indispensable consensus on this issue that is vital for development. The collective autonomy of countries such as those in the zone of peace and cooperation of the South Atlantic will thus be strengthened.

We can never emphasize enough the inseparable relationship between peace, security and development, or the interaction of global and regional efforts. We must therefore continue together along the path we have chosen to achieve the objectives of the zone of peace and cooperation of the South Atlantic, which are part of the joint efforts to forge a world which is peaceful and prosperous for all.

Mr. Jele (South Africa): In 1986, this Assembly took the momentous step of declaring the Atlantic Ocean, in the region between Africa and South America, a zone of peace and cooperation. The struggle by many countries for a shift in focus from the arms race and confrontation to constructive cooperation for the well-being of the human race felt for many years like an ideal that was too lofty to achieve.

However, the unrelenting spirit of man, who yearns for a better world to live in, a world where peace and not war prevails, has been responsible for the change that has set in several regions of the world. To have before the General Assembly today a draft resolution that declares a sizeable portion of the world's surface area a zone of peace is something which we should be proud of and support anew with fervour, and not just regard as an exercise which is repeated annually.

The intraregional opportunities for improving investment, trade, cultural, touristic, sporting and a variety of other links are well recognized by my Government. So too is the fact that the zone provides a very important opportunity for the promotion of common interests and aspirations between States which share the Atlantic.

My Government's commitment to the zone and its objectives is borne out by the fact that South Africa has offered to host the fourth meeting of States members of the zone at Cape Town on 1 and 2 April 1996.

The adoption this morning of this draft resolution will once again affirm the unity of this group and its readiness to address common problems such as poverty, asymmetrical development and human rights. It will also affirm the commitment of Member States to the principles of peace and cooperation. No one can question the noble objectives of this draft resolution, and I urge all Member States to support its adoption.

Mr. Illueca (Panama) (*interpretation from Spanish*): The item entitled "Zone of peace and cooperation of the South Atlantic" is of interest to my delegation because Panama is a maritime country flanked by two seas, including the Atlantic, and because the Government of Panama is preparing for the holding of a Universal Congress on the Panama Canal. On 7 November 1995, the General Assembly adopted resolution 50/12, which gives United Nations support to this initiative of the Government of Panama. The initiative has certain aspects in common with draft resolution A/50/L.25, which my

delegation hopes will be adopted by consensus and which affirms the importance of the South Atlantic to global maritime and commercial transactions.

The convergence of concerns over preserving the South Atlantic as a zone of peace can also be seen in the intention of the Government of Panama to continue to guarantee, from 31 December 1999, the neutrality of the Panama Canal and to continue to provide a safe passage for maritime trade.

My delegation, like most of the delegations of Member States of the United Nations, is very aware of the potential for international cooperation of which the item before us today is a good example. In this respect, we are pleased that the draft resolution affirms the importance of the South Atlantic to global maritime and commercial transactions. The objectives set forth in the declaration of the zone of peace and cooperation of the South Atlantic are in harmony with the plans set in motion by the full entry into force of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, known as the Treaty of Tlatelolco, and the agreement on a treaty establishing a nuclear-weapon-free zone in Africa.

The draft resolution calls upon all States to refrain from creating or aggravating situations of tension or conflict in the region, and in our view this has an impact on the international community's efforts to secure a lasting and effective peace in Angola. Similarly, the draft resolution welcomes the progress made towards peace and national reconciliation in Liberia, which is encouraging.

The United Nations will continue to cooperate with the zone of peace and cooperation of the South Atlantic, and my delegation is pleased that this item is being kept on the agenda of the General Assembly. It is an item that makes it possible for the member States of the zone to continue to point out to the international community the aspects in which external cooperation, especially South-South cooperation, seems most universally appropriate and fruitful.

My delegation enthusiastically supports the text before us, and we hope that at future General Assembly sessions this item will continue to arouse the interest of the entire international community. In our opinion, the South Atlantic zone has enormous potential for South-South cooperation in all its economic, political, trade and cultural aspects.

Mr. Jallow (Gambia): At their recent ministerial meeting, the States members of the zone of peace and cooperation of the South Atlantic reaffirmed once more their concern about the international situation, particularly as it impacts on the socio-economic development of developing countries, the preservation of peace and security globally and the effects of poverty, population growth, marine pollution, land degradation and nuclear proliferation on the environment and human existence.

These are issues with which we grapple daily at the United Nations and which form the basis of many of our negotiations, especially at major United Nations conferences, such as the Rio Conference on Environment and Development, the Vienna Conference on human rights, the social Summit that was held in Copenhagen, the Cairo Conference on Population and the recent Fourth World Conference on Women, which was held in Beijing. The preoccupation of each of these major Conferences with specific issues relating to the interdependence of nations and of humankind the world over has inspired the members of the zone towards cooperation between nations and hope for a better world. It is these ideals and the worthy efforts of the United Nations to achieve universal peace and development that have indeed inspired and lent support for the creation and activities of the zone of peace and cooperation in the South Atlantic.

The region in which the zone is located has been playing and will continue to play a crucial role in the evolution and propagation of an acceptable international economic and social order, in accordance with the zone's stated objectives and the United Nations Charter. Central to this contribution role is the importance that is attached to preservation of the environment and to economic cooperation through trade.

During the past few years, members of the zone have been engaged in the promotion of effective trade and economic-cooperation mechanisms. In addition, due attention has been given to nuclear non-proliferation and to preservation of the marine resources of the South Atlantic Ocean through avoidance of marine pollution.

The membership of the zone has been growing, in number and in strength, and this has further heightened our resolve to work towards ensuring peace in the zone.

It is with this inspiration that we shall go to South Africa in 1996.

The Acting President (*interpretation from French*): We have heard the last speaker in the debate on this item.

The Assembly will now consider draft resolution A/50/L.25.

I should like to point out that Panama has become a co-sponsor of the draft resolution.

I now put to the vote draft resolution A/50/L.25.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Equatorial Guinea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guinea, Guinea Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uruguay, Viet Nam, Zaire, Zambia

Against:

None

Abstaining:

United States of America

Draft resolution A/50/L.25 was adopted by 124 votes to none, with 1 abstention (resolution 50/18).

[Subsequently, the delegations of Bahrain, Belize, Cape Verde, Kuwait, and the Lao People's Democratic Republic advised the Secretariat that they had intended to vote in favour.]

The Acting President *(interpretation from French)*: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 37?

It was so decided.

Agenda item 22

Return or restitution of cultural property to the countries of origin

Note by the Secretary-General transmitting the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization (A/50/498)

Draft resolution (A/50/L.28)

The Acting President (*interpretation from French*): I call on the representative of Zaire to introduce draft resolution A/50/L.28.

Mr. Lukabu Khabouji N'Zaji (Zaire) (*interpretation from French*): The draft resolution in document A/50/L.28, which I have the honour to introduce to the General Assembly today, deals with a question which has been before the Assembly for many years and which reflects concerns that are shared by many Member States of the Organization.

Agenda item 22, "Return or restitution of cultural property to the countries of origin", has been before the Assembly for some time. This year, many of the usual sponsors of the draft resolution on this item were unable to contact their capitals because of the late issuance of the text now before us. I therefore submit draft resolution A/50/L.28 to the Assembly today on behalf of the following co-sponsors: Bolivia, Cambodia, Cameroon, Côte d'Ivoire, Greece, Lebanon, Peru, Turkey and Zaire.

Resolution 48/15 of 2 November 1993 gave rise to a great deal of hope among members of the Assembly. We must admit, however, that the report (A/50/498) submitted to us today by the Secretary-General clearly reveals all the difficulties the United Nations and the United Nations Educational, Scientific and Cultural Organization (UNESCO) are confronting in embarking on

the process that will really lead to the return of illicitly appropriated cultural property. Nevertheless, we must pay a tribute to the Secretary-General and to the Director-General of UNESCO for their valuable assistance, which has resulted in the recommendations adopted by the Intergovernmental Committee at its eighth session, held at Paris from 24 to 27 May 1995.

However, the accomplishments reflected in the report lead us to believe that there is indeed a lack of the political will that alone would make countries in possession of illicitly appropriated cultural properties restore them to their countries of origin. We do, however, see encouraging signs in the bilateral negotiations under way between, *inter alia*, countries such as Guatemala, the United States and Canada and Greece and the United Kingdom. We must also encourage negotiations with the museums of certain Member States that have agreed to cooperate in the actual return of works now in their possession.

Although since the adoption of resolution 48/15 the results have not met our expectations, the co-sponsors of the present draft resolution continue to hope that the international community will realize the importance of this question and commit itself to a genuine process of negotiations on mechanisms that will enable the countries whose cultural property has been appropriated to recover it, for such property is, in most cases, of great historic value to those countries.

Bearing in mind that the text of the draft resolution was only circulated within the past two days, which also involved a holiday period, the co-sponsors would request that any action on it be deferred to a later meeting. This will enable the many countries that were unable to contact their capitals to join us in sponsoring the draft resolution.

Mr. Mansour (Lebanon) (*interpretation from Arabic*): On behalf of Lebanon, I wish to thank the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) for his report (A/50/498) of 3 October 1995 on the return or restitution of cultural property to the countries of origin.

Lebanon is one of the countries most concerned with this subject. Our history dates back to the third millennium B.C. It was then that mankind learned its first alphabet from our country. Throughout its 5,000-year history, Lebanon has been the meeting place of civilizations, cultures and intellectual currents which enriched its soil with a wealth of ideas and cultural property that interacted with our heritage, crystallized the culture of our people and perpetuated it through the interaction of our culture property with the environment that produced such property.

Since Lebanon's cultural property is the national patrimony of its people, it is vital that such property be returned to its country of origin, Lebanon.

The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation has been informed by Lebanon of its special situation with regard to the illicit trafficking in some of its cultural property that was stolen and smuggled out of the country in the wake of 17 years of armed conflict on our territory. During a 1982 bombardment, 43 crates containing *objets d'art* belonging to the National Museum of Beirut were broken into. Many other items of cultural property were stolen and are now being sold on the international art markets.

Lebanon is in the process of drawing up lists of its lost, stolen and smuggled cultural property and is preparing the necessary documentation and legal evidence that will be used, in coordination with the United Nations and the States concerned for the return to Lebanon of such property.

Lebanon has been able recently to retrieve its cultural treasure known as the statues of the Temple of Ashmoun, from Switzerland, thanks to the good faith and earnest cooperation of the Swiss authorities. A British institution has also returned an antique Phoenician statue it had purchased from an individual who had claimed to be its owner. We are also discussing the return of certain objects that were smuggled to Germany, and are now in the possession of the German authorities which have declared their readiness to return them to Lebanon.

The worst instance of theft that Lebanon has been a victim to with regard to its cultural property is that a non-Lebanese armed group that was operating on Lebanon's territory in the mid-1970s, appropriated a large number of rare and extremely valuable *objets d'art* that consist of 10,000 pieces of jewellery, sculptures and coins. In 1984, that organization gave those pieces to a major foreign Power as barter in an arms deal. The deal was struck by the head of that organization with one of the high officials of that State through the secret service of the same State, to the tune of 22 million dollars. Whereas the art experts of the purchasing State, as one of its officials has declared, have estimated the value of

the stolen property to be in the whereabouts of a few billion dollars. This barter deal has been one of the most profitable operations for the secret service of that particular State according to the Japanese newspaper *Sanki Shimbun* in its report of 17 October 1995. and *The Sunday Times* of London in its 15 October issue. The Lebanese authorities are now conducting an investigation into the matter on the basis of information received from various sources, including press reports, in order to retrieve this cultural property.

Lebanon is committed to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, and it is intent on retrieving this stolen and illegally exported property — wherever it may be found.

Consequently, Lebanon is fully prepared to cooperate with international bodies and government agencies in taking all necessary measures to put an end to the illicit trafficking in cultural property and to return such property to the countries of origin through bilateral talks. Such property is the cultural heritage of the peoples it belongs to and whose human, cultural identity and originality it embodies.

Mr. Hamdoon (Iraq): The periodic consideration by the General Assembly of the item on the Return or Restitution of Cultural Property to the Countries of Origin bespeaks the important place this issue occupies in international relations. The issue has acquired added importance over the past few years due to the fact that the illegal transfer of ownership of cultural property, in particular of archaeological artifacts, has increased dramatically as a result of the unfavourable economic situation in developing countries, and the fall in the exchange rate of the national currencies of those countries against those of a small group of developed, industrialized countries.

Some of the merchants of those developed countries exploit this situation for the illicit trafficking in smuggled cultural property. This tendency has been encouraged by the fact that the world economic stagnation has prompted some capitalists in Western countries to invest their money in the purchase and illicit trafficking of archaeological artifacts as a hedge against any future drop in investment returns. Thus, the trafficking in the antiquities of developing countries has become an organized business operation, carried out by large Western companies and auction houses with the knowledge of the Governments of their countries.

Despite the fact that numerous international instruments and conventions reaffirm the right of States to retrieve their cultural property and to prohibit the illicit trafficking in them, many of the countries which acquired such property refuse to abide by these international conventions. Those countries also do not facilitate the bilateral negotiations for the return and restitution of those artifacts to their countries of origin.

Iraq, as a cradle of the earliest human civilizations, is characterized by the diversity of its cultural heritage. This has made Iraq a veritable treasure-house of the legacies of those civilizations. Consequently, Iraq has become a prime target for thieves of archaeological artifacts, under the Powers that previously colonized it or those which aspire to amass Iraq's artifacts in their museums. In addition to the private collections owned by merchants and collectors, foreign museums are now full of Iraq's cultural property, as a result of this continuous plunder. Iraq continues to suffer from this haemorrhage of cultural property. The haemorrhage has become particularly acute over the past five years. On the one hand, the aerial bombardment by the coalition forces of Iraqi cities and villages has resulted in partial or total destruction of many of Iraq's cultural sites, such as mosques, churches and other archaeological sites. On the other hand, the comprehensive sanctions imposed on Iraq and the foreign intervention in its affairs have made it possible to carry out large-scale clandestine excavations and to smuggle the finds together with other priceless objects, manuscripts and books.

This systematic sabotage of Iraq's cultural identity increases apace with the intensification of the embargo imposed on the Iraqi people. Such systematic thieving can only result in the obliteration of the cultural heritage of nations and the veiling of the sources of their cultural creativity that go back to the beginnings of history. We call upon the international community to put an end to this disfigurement of the face of humanity's history and to take all measures necessary for the restitution of such stolen cultural property to the countries of origin.

We appreciate the continuing efforts of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in promoting international awareness of this situation and in assisting countries in the return of their cultural property. We call upon all States of the world to cooperate fully with UNESCO towards the achievement of this goal in the interests of justice and of equitable international relations.

We also call for the improvement of the current international Conventions for the protection of world cultural heritage and the provision of technical assistance for States which suffer from severe problems pertaining to illicit trafficking in their cultural heritage. It is our hope that the United Nations, through its specialized agencies, will continue to contribute to the promotion of awareness by the international community of the irreparable damage caused to the cultural heritage of some countries through plunder or destruction. It is our hope that it will also raise awareness concerning the return or restitution of cultural property to the countries of origin. The loss of the cultural heritage of some States constitutes, in the final analysis, a loss for world culture, a loss for future generations and for mankind as a whole.

Through international organizations and bilateral contacts, Iraq has been striving to retrieve archaeological artifacts and manuscripts that are now in certain European countries. The traffickers and owners of such property have admitted to having appropriated it illicitly and smuggled it out of Iraq. Iraq has drafted a law on archaeological artifacts to be put before the National Legislative Council shortly. This draft law prohibits importation of archaeological artifacts that are not authorized for export by their States of origin. It also prohibits the transfer of the artifacts of other countries through Iraq's territory under the same conditions.

To conclude, we hope that all States will show commitment to the principles concerning the return of cultural property to the countries of origins, including those contained in draft resolution A/50/L.28 now before us. We reaffirm that the restitution of such property to the countries of origin and the prohibition of illicit trafficking in cultural property are important steps that would help strengthen international cooperation and maintain world cultural values. The injustices of the past could be redressed today if some States would find it possible to uphold the principles of justice and equity and to relinquish the narrow parochialism of the colonial period that led to the plunder of many things from others, including their very heritage.

Mr. Vidaurre (Bolivia) (*interpretation from Spanish*): Bolivia attaches particular importance to the item on the return or restitution of cultural property to the countries of origin and to the preservation of the cultural heritage of nations. That is why we were a co-sponsor of resolution 48/15, adopted by the General Assembly on 2 November 1993.

Important pre-Colombian civilizations lived on what is now Bolivian territory, bequeathing a marvellous cultural treasure to my country. Hence, it is vital for Bolivia to preserve that historical legacy, the heart of which contains its national identity, honours it, makes it unique and explains its ethnic diversity.

As a legacy of that past, the indigenous peoples maintain invaluable traditions, transmitted through native languages, music, crafts and various ancestral customs. This enduring indigenous heritage has succeeded in linking itself to our history, producing a creative and vigorous mixed race and defining a personality that communicates its values to the community of nations.

We are living in a time of profound transition, a time for seeking answers and affirming principles, a time whose challenges require global responses, especially when the difficulties of intercultural coexistence and the assertion of identifying characteristics remind us of the validity and importance of diversity within the unity of today's world.

It is in this broad context that we must consider the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property and the work of the Intergovernmental Committee for Promoting the Return of Cultural Property to Its Countries of Origin or Its Restitution in Case of Illicit Appropriation, under whose mandate negotiations, international technical cooperation and measures to stem the traffic in cultural property are being encouraged.

Bolivia was able to appreciate the practical utility of these international mechanisms and instruments when, a few years ago, ancient ceremonial textiles that had been illegally removed from the country were recovered and returned with the help of the Governments of Canada and the United States. The work of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in this field is also outstanding.

For all these reasons, and bearing in mind the goals that have inspired the draft resolution before the General Assembly on this item, the Bolivian delegation firmly supports it.

Mr. Agathocleous (Cyprus): The report of the Secretary-General in document A/50/498, of 3 October 1995, provides us with a useful account of the work done within efforts to curb the illicit traffic in cultural property and, most important, of the continuing efforts of the

United Nations Educational, Scientific and Cultural Organization (UNESCO) to promote the return of cultural property to the countries of origin or its restitution in case of illicit appropriation.

We are grateful to the Secretary-General and to UNESCO for this report, which describes their meticulous and untiring efforts to enhance world awareness and assist States in claiming their cultural property.

We are particularly grateful for the recommendations made and the account given of measures taken, by UNESCO at the eighth session of the Intergovernmental Committee, in May 1994, to foster the return of cultural property through the promotion of bilateral negotiations and through international technical cooperation. We consider its valuable suggestions on steps to curb illicit traffic in cultural property and on the need to disseminate information on the subject to be of particular importance to the preservation of cultural treasures.

The safeguarding of cultural property is of vital importance to my country, whose history dates back 9,000 years. For our part, we exert every effort in our island to preserve the monuments of all cultures and all periods.

It is most unfortunate, however, that cultural property in the part of Cyprus occupied by Turkey continues to be under serious threat, having been, as a matter of official policy, neglected, looted and deliberately destroyed. The intention of the Turkish occupier is to eliminate all features of the island's past and its culture, the main targets being the Byzantine Churches, monasteries, Hellenic and Roman forms of art, and cemeteries. This policy is also extended to an extensive change of toponymy that has existed for centuries.

It must be stressed here that the Turkish-occupied areas contain the largest part of the island's archaeological and historical sites and religious monuments. They include the Venetian walled city of Famagusta, the seaport of Kyrenia with its medieval castle, the archaeological sites of Salamis, Myceanean Engomi, the ancient Vouni Palace and Soli, the three medieval castles of the Kyrenia range — St. Hilarion, Buffavento and Kantara castles — and churches and monasteries built between the fourth and nineteenth centuries. They include neolithic, bronze age, Phoenician Greek and Roman sites and literally hundreds of other places and structures of great historical interest.

Many of these historical and religious monuments were damaged during the Turkish invasion from direct bombing, pillage, looting and vandalism by the invading Turkish troops. However, it is the systematic, official policy of eradicating the 9,000-year historical character of the occupied areas of Cyprus pursued since the invasion that has brought about the severest destruction. As I mentioned before, important sites have been completely and deliberately neglected, leaving them at constant risk of destruction and plunder. Centres of ancient culture and civilization lie unattended, at the mercy of time and the elements of nature. Illegal digs are commonplace, especially in Kyrenia, Famagusta and the Karpas Peninsula. Churches and monasteries — more than a hundred of them all over the occupied areas — have been stripped of their sacred objects, looted of their icons, wall paintings, frescoes and mosaics, and damaged, destroyed or converted into mosques, recreation areas, sheepfolds and even stables.

Unique mosaics, such as those found in the church of Panayia Kanakaria, have been removed and sold by Turkish antiquity smugglers to private collectors abroad. In that case, the Government of Cyprus intervened and, after a lengthy judicial process in the United States Court of Appeals, recovered the stolen cultural property in the now famous case of the Kanakaria mosaics of Cyprus.

The Court's decision, eloquently expressed by Chief Justice Bauer, states that the mosaics are of great intrinsic beauty and are unique remnants of an earlier artistic period; they should be returned to their homeland and owner not only because they belong there, but also as a reminder that greed and callous disregard for the property, history and culture of others cannot be countenanced by the world community and by that Court. That decision, which touched the hearts of our people, is a valuable legal precedent for all States seeking to regain their cultural property.

Reverting to the recommendations of the eighth session of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin, we support the appeal made to Member States that have not yet done so to ratify and become parties to the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, 1970, and to implement fully its provisions. We are delighted that at the time of the session the number of States parties to the Convention had increased from 71 to 81. We also welcome the strengthened cooperation among States, evidenced by the

increase in the distribution of notices concerning stolen cultural properties among States parties and in the holding of regional workshops.

The establishment of databases, another proposal of the Intergovernmental Committee, no doubt discourages exploitation of cultural property and definitely contributes to the prevention of illicit import-export licensing and transfer of ownership. Furthermore, the idea of setting up a fund to facilitate the restitution of stolen cultural property, as outlined in the relevant provision in the Arusha Appeal, has our full support.

Equally important are the preventive measures referred to in the recommendation of the Committee, which aim at discouraging illicit clandestine excavation. These measures should be employed to the full, and the archaeological sites should be placed under constant care.

Cyprus, a small country, is doing everything within its power to protect the cultural heritage of its people. It continues to rely, however, on the expertise of UNESCO and other world organizations to save its antiquities, especially in the areas of Cyprus now under foreign occupation and control. In this regard, we express our appreciation to UNESCO, Interpol, Europa Nostra, the Council of Europe, the International Council on Monuments and Sites, and other museums and institutions, for their assistance and cooperation.

Mr. Çelem (Turkey): As a nation with a rich cultural heritage, Turkey is particularly pleased that the Assembly is once again, under agenda item 22, considering the important issue of the return or restitution of cultural property to the countries of origin.

Having taken note of the valuable report of the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) contained in document A/50/498, my delegation wishes to reaffirm its resolute support for UNESCO's efforts to promote the return or restitution of cultural property to the countries of origin. The references in the report to the ongoing illicit traffic in stolen cultural property underline the need for further action in this area.

Turkey's heritage can be traced to many ancient and great civilizations. We are the repository of the treasures created by them. Turkey has thus become a key target for looters and traffickers in stolen art and antiquities. As a result of this systematic plundering, many cultural treasures have been unlawfully removed, smuggled out and acquired by museums and collectors in a number of countries.

It is essential that such properties be located and returned to the countries of their origin. Indeed, it is critical to the preservation of the heritage of all art-rich nations that their cultural properties be preserved in their geographical and natural surroundings and be available for scientific and archaeological studies in their proper context. This is the prevalent world view, and we must accelerate our efforts to accomplish this goal.

As the Director-General's report observes, much has been done under the auspices of UNESCO since 1991 to protect cultural property in its original and natural context and to repatriate the property illegally taken from countries of origin. As the report notes, Turkey has initiated bilateral negotiations with Germany for the return of a sphinx from Bogazkoy and has issued two notices of stolen property, one concerning the theft of 34 antique coins, mostly in gold, from the collection of the Kayseri Museum on 10 December 1990, and another concerning the theft of 596 pieces of seventeenth-century Iznik ceramic tile from the Bayrampaşa Turbesi Museum in Istanbul on 22 June 1991.

While some progress has been made, there can be no doubt that more should be accomplished at the international level. Thus far, cooperation among nations has not achieved a workable mechanism for dealing with specific cases of the illicit removal of cultural property from countries where they were created and existed for centuries, and where they formed a part of the cultural identity. As a result, the international traffic in stolen cultural property proliferates, and the archaeological treasures of Turkey and other art-rich countries continue to be at risk of plunder, notwithstanding the domestic efforts aimed at stopping this occurrence.

We must continue to work together to achieve acceptable measures to accomplish, by international action, the return and repatriation of stolen cultural property to its countries of origin. We believe that one way of achieving this goal is to put an end to the demand for the cultural properties of other nations. Unless and until this goal is accomplished, we have no choice but to address these problems through bilateral negotiations and in the courts. In this area, Turkey has taken the lead among the art-rich nations in seeking redress through the courts to recover stolen cultural patrimony. Our painstaking efforts in this regard have been vindicated most recently by the successful resolution of a six-year

lawsuit against the Metropolitan Museum of Art to recover the fabled Lydian Hoard antiquities, which have now been returned to Turkey.

Moreover, as the report notes, after a series of negotiations initiated by my Government, the Brooklyn Museum of New York agreed to donate a Roman sarcophagus, stolen from Turkey in 1986, to an American-Turkish foundation, which returned it to Turkey after a two-year period. Another welcome development, as far as Turkey is concerned, is the recent return of the 700-year-old pulpit door of the Aydmoğlu Mehmet Bey Mosque, in Izmir's Birgi district, which was smuggled abroad 200 years ago. The pulpit door was returned to my Government by the Government of the United Kingdom on 12 November of this year in an official ceremony in London.

These artifacts and cultural properties, along with 363 Lydian Hoard antiquities returned by the Metropolitan, will be prominently exhibited in the museums of Istanbul, Ankara and other Turkish cities. Turkey regards these as precedent-setting cases and is hopeful that the return of these priceless treasures will help pave the way towards establishing the rights of all nations to recover stolen artistic and cultural property and deterring smugglers and traffickers from further spoliation of the ancient treasures of Turkey and other art-rich States.

Turkey is hopeful that it will one day be able to bring home the cultural property of the Turkish people without resorting to expensive and complicated legal action. Until then, it will protect its rights in the courts whenever and wherever it has to do so. At the same time, Turkey will continue to contribute to international efforts to solve this serious problem. In this regard, Turkey has ratified the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict; the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, adopted in 1970 by the United Nations Educational, Scientific and Cultural Organization; and the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage.

Moreover, from the very outset, Turkey has actively participated in the negotiations on the International Institution for the Unification of Private Law (UNIDROIT) draft Convention on Stolen and Illegally Exported Cultural Objects, which culminated in the adoption of the Convention at a diplomatic conference held on 24 June 1995 in Rome. We welcome this important step and intend to sign the Convention as soon as possible. In this respect, we have taken particular note of the fact that most art-importer nations abstained during the voting on that Convention in Rome. This constituted a significant step in the right direction. We believe that these nations will give serious consideration to the concerns expressed by Turkey and other art-rich nations with respect to compensation, retroactivity and similar issues, so that a document of this magnitude can be accepted and effectively implemented by the greatest number of States.

We urge all nations to work together to ensure, on an international level, the protection, recovery and return of stolen and illegally exported archaeological, historical and cultural property. By preserving our respective cultural heritages and restoring cultural property to its rightful countries of origin, we shall best serve the interests of all peoples of the world for generations to come. We pledge our support to that process.

Mr. Ouch Borith (Cambodia) *(interpretation from French)*: Like all peace- and justice-loving peoples — and our long history shows that we are such — the Cambodian people and Government have been following closely the resolutions adopted by the General Assembly in the last few years aimed at preventing the illicit import, export and transfer of ownership of cultural property. We must be especially alert in ensuring that respect for international conventions and agreements and international law is scrupulously observed and that the law is exercised in the service of right. It is in this spirit that my delegation endorses the views of the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO), expressed in document A/50/498, and unreservedly welcomes the draft resolution contained in document A/50/L.28, which has been submitted to the Assembly for adoption.

The alarm sounded by Cambodia and by the international institutions concerned has resounded throughout the world. The main threats to, and the danger of destruction of, Khmer art objects are worsening day by day. Faced with this situation, which portends so much destruction, my delegation has the honour of drawing the attention of the Assembly to the measures taken by the Royal Government of Cambodia to protect our national cultural heritage.

As a country signatory to the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict and to the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import,

Export and Transfer of Ownership of Cultural Property, the Royal Government of Cambodia has taken the following measures.

A law on territorial management and urban planning and construction was passed by the National Assembly in March 1993. This law includes organizational measures designed to protect the national heritage of Cambodia. Its articles 10 and 11 recommend that specific measures be taken to protect and develop sites and structures of archaeological, historical, cultural, aesthetic and technical interest. Under this law, any excavation or attempt to drill in the protected areas must be authorized by the Government.

The Supreme Council of National Culture, established in 1993, has been entrusted with studying cultural sites and historical monuments and registering them as national cultural heritage; protecting ancient cultural artifacts; administering and monitoring the regions containing historical monuments, as well as forming collections of their cultural and artistic property; authorizing studies, archaeological digs and conservation activities; promoting cultural values; mobilizing the necessary funds; and enhancing public education, training and research devoted to our cultural and historical heritage.

The International Coordination Committee to safeguard and develop Angkor, established in October 1993, has provided a working framework for carrying out the following measures:

On the basis of studies carried out under the auspices of the United Nations Development Programme (UNDP) and UNESCO and in collaboration with the Royal Government of Cambodia, a statutory order on the zoning and administration of the Angkor region was adopted in May 1994. The plan classifies cultural sites according to five different levels of protection.

The President took the Chair.

A law is now being developed to establish an authority to protect the site and manage the region of Angkor. The goal of this authority is to ensure high-level control and management of all projects and to coordinate activities for development in the Angkor region. In the same region, a special police unit has been established and has begun carrying out operations in the discharge of the tasks entrusted to it by the Government.

Given the fact that the Angkor monuments have been classified since December 1992 as a world heritage site, we ask the international community to provide the Royal Government of Cambodia its full cooperation in the struggle to combat illegal trafficking in the Khmer cultural heritage, which has been the object of looting and vandalism on an unprecedented scale. To be able to recover all these invaluable cultural goods, and in keeping with article 9 of the 1970 Convention, we take the liberty today of addressing the following formal requests of the Royal Government of Cambodia to all countries that export or are transit points for such properties, whether or not they have signed that Convention, to take measures on our behalf.

We appeal to those countries, in keeping with article 3 of the Convention, to declare illegal the import, export or transfer of Khmer cultural goods and to follow up on the final clause of article 4 by recognizing that no Khmer cultural property can be bought or received as a gift without the consent of the national authorities of Cambodia. We appeal to them to prevent national museums or similar institutions from acquiring antiquities originating in the Kingdom of Cambodia and to take all necessary measures *vis-à-vis* dealers in antiques and cultural goods to help the Royal Government of Cambodia recover and repatriate cultural treasures illegally removed from the Kingdom of Cambodia. We appeal to the world heritage Committee to organize negotiations between Cambodia and countries that are transit points for such cultural goods or that illegally receive them so that we can work together to guarantee lasting protection for the Khmer cultural heritage.

In reminding all of the Parties signatories to the Convention that they should ensure respect for the obligations under article 7, we request that designated international experts be given the authority to identify the Khmer cultural goods seized outside of Cambodian territory. The internationally recognized experts of the University of Sophia could identify all Khmer cultural property illegally exported to Japan. Experts of the Ecole française d'Extrême-Orient (EFEO) and the Getty Conservation Institute will be entrusted with identifying such properties in Europe. The Fine Arts Department of Thailand, in cooperation with the experts of the EFEO, will have the task of identifying Khmer cultural goods illegally exported to Thailand.

In conclusion, allow us to express our deep gratitude to all the friendly countries and international organizations, in particular UNESCO, that have provided

timely and impartial assistance in the maintenance, preservation and protection of the Khmer cultural heritage.

Mr. Syargeeu (Belarus): Since the inclusion in the General Assembly's agenda of the item on the restitution of works of art to their countries of origin, we have noted with satisfaction the growing interest in this item shown by Members of the United Nations. Our delegation would also like to note that since the previous report of the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO), submitted to the General Assembly at its forty-eighth session, the Organization has done a lot to promote the return of cultural property to its countries of origin.

Belarus has a distinctive place in the cultural geography of Europe, being situated on the ancient route from the Varangians to the Greeks. The Republic finds itself in the centre of Europe and has deep-rooted historical and cultural traditions. Belorussians have an impressive wealth of national heritage. We may take legitimate pride in the vast diversity of our historical and cultural values.

Unfortunately, for centuries the assets created by our people were being transferred out of the country to different destinations and by various routes. This was caused by such factors as wars, the suppression of national-liberation uprisings, migrations of people and confiscations of property in revolutionary years, research activities conducted by foreign or central scientific institutions — of the former Union of Soviet Socialist Republics (USSR) — and illicit trafficking in articles of historical and cultural value.

As a result, at present the possibilities of relying on works of national art in bringing up the younger generations are extremely limited. Today we have only single, if any, copies of the world- famous artifacts Belarus used to be renowned for. One may mention, by way of example, the sashes of Slutsk, the Korelitchi tapestries and other works of art.

As a result of the plundering of our State archives, Belorussian scientists have hardly any materials to rely on in studying the history of Belorussian art, economics, politics and so on. The list of countries where our cultural property eventually wound up, in various ways and at different times, is very diverse.

By way of systematizing, one may group our property which is located abroad into the following main categories.

First, there is property whose location beyond the Republic's borders does not run counter to legal norms. This represents mainly the property taken out of the country by owners in the period when there were no laws prohibiting such transfer.

Secondly, there is property the legality of whose location outside the country is at issue and requires joint consideration, on a bilateral or multilateral basis, with the relevant authorities of the countries where these articles are now found.

Thirdly, there is property whose location outside the Republic has no legal justification whatsoever: property removed as trophies of war, as the result of politically motivated seizures, or through illegal smuggling across our borders.

Unfortunately, the Republic of Belarus has an extremely limited capability of demanding that property unlawfully transferred from the country be returned. This is due to, first, a lack of bilateral international agreements on these issues with an overwhelming majority of the countries where our unlawfully transferred property may be located; and secondly, the insufficient data available to Belorussian researchers to trace our unlawfully transferred property to its present location. Although research in this area is conducted continuously, it is complicated by the fact that in over the post-Second World War period most of the Belorussian property that had been taken as war trophies is, as a result of multiple transfers, to be found, for the most part, in third countries. Besides, our experts have very limited opportunities to conduct research in foreign archives for reasons of economic hardship.

Despite the difficulties caused by the economic reform under way in the country, the Government of Belarus is making considerable efforts aimed at solving problems related to the issue of the return of property.

As is known, in 1988 Belarus ratified the 1970 Paris Convention, and we would like to take this opportunity to call upon Member States which have not yet done so to become Parties to the Convention. In 1992 the Republic of Belarus passed a law on protecting historical and cultural heritage. It regulates, among other things, the property-return issue. In accordance with the law, a number of State institutions have been established to work out and execute state policy in the area of protection of our historic and cultural heritage.

Up to now our Government has done a lot to establish international ties and sign agreements on issues of cultural cooperation.

Yet problems of historical and cultural heritage are still highly relevant and place a heavy burden on the Republic of Belarus. In our view, the world community must revitalize its efforts to solve problems related to the return of articles of historical and cultural heritage to their countries of origin, in particular efforts to improve and define in greater detail the basic international law in this area. In this regard, we support the ideas and proposals set out in the report annexed to document A/50/498. In the view of our delegation, there is a strong need to set up a central database concerning lost and stolen property. In this regard, we favour the proposal set out in paragraph 15 of the report.

Having become a member of Interpol, Belarus looks forward to closer cooperation with that organization in combatting illicit traffic in cultural property. Our Government considers it very important to gain use of Interpol's computerized file of stolen property as well as to participate in updating it on the basis of information received from our police forces.

In conclusion, I would like to stress that the Republic of Belarus highly appreciates the activities of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation. We expect these efforts to be accompanied by an awakening of world public opinion in support of the return or restitution of cultural property to its countries of origin, in particular through mobilization of the information capacity of the United Nations for this purpose.

The President: We have heard the last speaker in the debate on this item. At the request of the sponsor, action on draft resolution A/50/L.28 is postponed to a later date to be announced.

We have thus concluded the present stage of our consideration of agenda item 22.

Mr. Ouane (Mali), Vice-President, in the Chair.

Announcement

The Acting President (*interpretation from French*): I should like to inform members that, immediately following the adjournment of this meeting, His Excellency Mr. Perez de Cuellar, former Secretary-General of the United Nations and President of the World Commission on Culture and Development, will introduce the report of the Commission, entitled "Our Creative Diversity".

Programme of work

The Acting President (*interpretation from French*): This afternoon the Assembly will consider agenda item 20, "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance", together with agenda item 154, "Participation of volunteers, 'White Helmets', in activities of the United Nations in the field of humanitarian relief, rehabilitation and technical cooperation for development".

The Assembly will defer to a later date, to be announced, consideration of two aspects of sub-item (b) of agenda item 20 — namely, those concerning special emergency assistance for the economic recovery and reconstruction of Burundi and international cooperation and assistance to alleviate the consequences of war in Croatia.

Consideration of sub-item (d) of agenda item 20 — Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan — will also be deferred to a later date, to be announced.

With regard to the future work of the General Assembly, I should like to inform representatives that agenda item 24 — Implementation of the United Nations New Agenda for the Development of Africa in the 1990s — will be considered on Monday, 4 December 1995, in the morning.

The meeting rose at 12.25 p.m.